



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. 3/17/03 Item: 3.d.1 and 3.d.2

File Number:
GP03-03-02/GPT03-03-02

Council District and SNI Area:
3 – N/A

Major Thoroughfares Map Number:
67

Assessor's Parcel Number(s):
249-37-006

Project Manager: Lesley Xavier

GENERAL PLAN REPORT

2003 Spring Hearing

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Mixed Use #3 (High Density Residential (25-50 DU/AC); 7,500-18,125 sq. ft. of retail; up to 192,625 sq. ft. of office)(Jackson-Taylor Planned Residential Community) to Mixed Use #3 (High Density Residential 65-75 DU/AC; up to 12,000 sq. ft. of office) (Jackson-Taylor Planned Residential Community (PRC)) and an associated text amendment to reflect the proposed land use changes in the Jackson-Taylor Residential Strategy.

LOCATION: Southeast corner of East Taylor and North 7th Streets

ACREAGE: 2

APPLICANT/OWNER:

Silicon Valley Advisors, LLC/ROEM Development Corporation

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Mixed Use #3 (High Density Residential (25-50 DU/AC); 7,500-18,125 sq.ft. of retail; up to 192,625 sq.ft. of office) (Jackson-Taylor PRC)

Proposed Designation: Mixed Use #3 (High Density Residential 65-75 DU/AC; up to 12,000 sq. ft. of office) (Jackson-Taylor PRC)

EXISTING ZONING DISTRICT(S): A(PD) – Planned Development; LI – Light Industrial

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Multi-family Residential – Mixed Use #1 (Jackson-Taylor PRC)

South: Multi-family residential under construction – Medium High Density Residential (12 -25 DU/AC) (Jackson-Taylor PRC)

East: City of San Jose Main Corporation Yard – Mixed Use #2; Public Park/Open Space (Jackson-Taylor PRC)

West: Esplanade Residential Development with retail and office uses – Mixed Use #3 (Jackson-Taylor PRC)

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration adopted on March 4, 2003

PLANNING STAFF RECOMMENDATION:

Mixed Use #4 (High Density Residential 25-75 DU/AC; up to 12,000 sq. ft. of office and/or retail) (Jackson-Taylor PRC)

Approved by:
Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- Department of Transportation – No long-term traffic impact.
- The City of San Jose Public Works Department – No comment.

GENERAL CORRESPONDENCE:

- None received.

ANALYSIS AND RECOMMENDATIONS:

PROJECT DESCRIPTION

This is a privately initiated General Plan amendment to change the *San Jose 2020 General Plan* Land Use/Transportation Diagram designation, as it is described in the Jackson-Taylor Planned Residential Community, from Mixed Use #3 (High Density Residential (25-50 DU/AC); 7,500-18,125 sq. ft. of retail; up to 192,625 sq. ft. of office) to Mixed Use #3 (High Density Residential 65-75 DU/AC; up to 12,000 sq. ft. of office) on a 2-acre site located at the southeast corner of East Taylor and North 7th Streets. There is also an associated text amendment to reflect the proposed land use changes in the Jackson-Taylor Residential Strategy (i.e., Specific Plan).

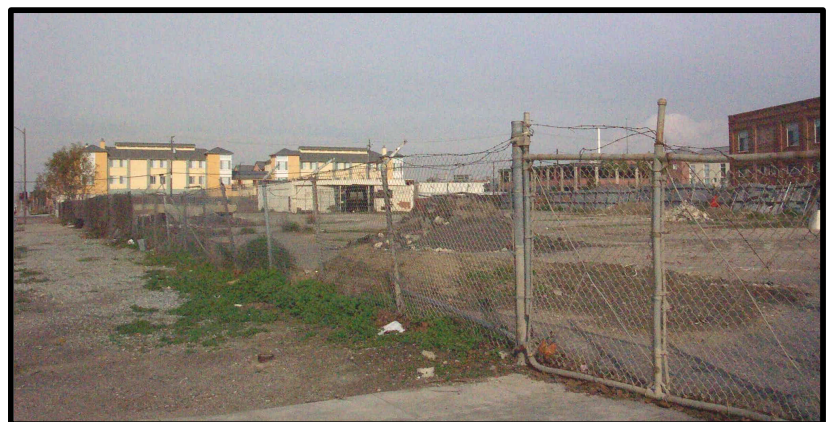
The proposed revision to the Mixed Use #3 (High Density Residential 65-75 DU/AC; up to 12,000 sq. ft. of office) land use designation envisions multi-family residential development in combination with office development, which can be arranged either vertically in the same building or within stand-alone buildings only for the triangular site located at the southeast corner of Taylor and 7th Streets. The Mixed-Use #3 designation, however, also applies to the properties east of the railroad tracks, which are now developed with primarily residential uses.

The subject site at its current land use designation would allow for approximately 70 dwelling units. The requested land use designation would allow for an increase to approximately 135 dwelling units on the subject site, which is an increase of 65 dwelling units. In addition, the amendment proposes up to 12,000 square feet of office.

BACKGROUND

Site and Surrounding Uses

The amendment site is located on the southeast corner of East Taylor and North 7th Streets. The site is predominantly vacant with two small, unoccupied commercial structures located near East Taylor Street. A variety of uses surround the site, including: a three-story multi-family residential development to the north, a three-story multi-family residential development with retail/office space along East Taylor Street to the east, a multi-family residential development under construction at the former Mariani Packing Plant to the south,



Looking at the site towards its northern border along E. Taylor Street.

and the City of San Jose Municipal Corporation Yard to the west.

The amendment site is located within the boundaries of the Jackson-Taylor Residential Strategy. General Plan and Residential Strategy land use designations surrounding the site include Mixed Use #1 to the north, Mixed Use #3 to the east, Medium High Density Residential (12-25 DU/AC) to the south, and Mixed Use #2 and Public Park/Open Space to the west.

Jackson-Taylor Residential Strategy

The Jackson-Taylor Residential Strategy, a Specific Plan, was adopted by the City Council in October 1992. The Plan area consists of approximately 15 blocks bounded by East Hedding, East Empire Street, North 6th and North 11th Streets. The Jackson-Taylor Residential Strategy is a plan for the transition from a primarily industrial area to an area with a mix of housing, commercial, and public uses with a vibrant, pedestrian and transit-oriented setting. The land use plan promotes a mixed-use residential and commercial core in the center of the study area that is urban in character.

During the August 2001 General Plan Hearings on Housing Related Amendments a site at the southern boundary of the Jackson Taylor Residential Strategy, the Mariani Packing Plant, located to the south of the subject site was approved for a land use change from Light Industrial to Medium High Density Residential (12-25 DU/AC). Following the Specific Plan amendment, entitlements have been approved for 166 single-family attached residences, which are currently under construction. Also, the recently completed Esplanade development, with 278 multi-family attached units and 5,100 square feet of commercial space is located to the east of the site at the southwest corner of Taylor and North 9th Streets. These developments and others are implementing the intent and direction of the Jackson-Taylor Residential Strategy.

ANALYSIS

Staff is recommending an alternative to the applicant's request in order to provide more flexibility within the land use designation. The applicant's request would limit the Mixed-Use designation to a small range of residential density and would limit the other uses on the site to office. The amendment site is located within the Mixed-Use Core as designated in the Jackson-Taylor Residential Strategy. The Mixed-Use Core is intended for a mix of residential, commercial, and office uses. The requested designation would allow for solely office uses and a small residential density range, which is inconsistent with the intent of the Jackson-Taylor Residential Strategy to promote a wider mix of uses.

For this reason, staff is recommending that a new land use designation Mixed Use #4 be created consisting of High Density Residential 25-75 DU/AC and up to 12,000 sq. ft. of office and/or retail. The commercial component could be integrated vertically with residential uses (preferred) or could be in a stand-alone building. This approach could also result in no commercial uses in the subject site at all. A project with no commercial uses on the site would be acceptable given that there are existing developments adjacent to the site that have commercial uses and the site is also within close proximity to the Japantown Neighborhood Business District. This designation provides for a wider range of residential density and allows for either the option of office or retail uses on the site.

Land Use Compatibility/Policy Consistency

The proposed new land use designation of Mixed Use #4 as recommended by staff would allow for the development of high-density residential with office and/or retail uses in either separate buildings or

integrated vertically in a single building. Development within the Mixed Use category is intended to create an urban environment that is active during the day and after dark.

The proposed amendment is consistent with the Specific Plan's land use policies in that it is compatible with the surrounding existing land uses and neighborhood character. The Jackson-Taylor Residential Strategy was created to increase high density housing opportunities and supportive mixed uses. The amendment site is located within the planned Mixed-Use Core of the Jackson-Taylor Residential Strategy. The site is surrounded by mixed use (commercial and residential) land uses, which are all compatible uses with the proposed Mixed Use #4 high density residential and office/retail uses.

Staff's recommended land use change is consistent with the vision of the Jackson-Taylor Residential Strategy. Therefore, staff is recommending to change the land use designation on the site to Mixed Use #4 (High Density Residential 25-75 DU/AC; up to 12,000 sq. ft. of office and/or retail).

Environmental Issues

The proposed change in the General Plan land use designation on the subject site was analyzed in an initial study that resulted in a Mitigated Negative Declaration. The initial study determined that the change in land use would create a less than significant impact with mitigation measures in the following categories:

- Aesthetics
- Cultural Resources
- Geology and soils
- Hazards and Hazardous Materials
- Noise



Looking at the site towards its northern border along E. Taylor Street.

All of the mitigation measures consist of the implementation of existing General Plan policies at the zoning and development permit stages.

PUBLIC OUTREACH

The property owners within the amendment site boundaries and/or property owners within a 1000-foot radius of the amendment site were sent a newsletter regarding the two community meetings that were held on February 24th and 26th 2002 to discuss the proposed General Plan amendment. They also received a public hearing notice regarding the public hearings to be held on the subject amendment before the Planning Commission in March and City Council in April. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule. No comments were received in regards to this amendment at any of the community meetings. This amendment proposal was also presented to the 13th Street Strong Neighborhoods Initiative (SNI) Neighborhood Advisory Committee (NAC). No comments were received from this meeting.

RECOMMENDATION

Planning staff recommends Mixed Use #4 (High Density Residential 25-75 DU/AC; up to 12,000 sq. ft. of office and/or retail).

Attachments

PBCE002/GP_Team/2003 Annual Review/Staff Reports/Spring Review/GP03-03-02.doc

PROPOSED SAN JOSE 2020 GENERAL PLAN

TEXT AMENDMENT

Amend Chapter V. Land Use Transportation Diagram; Planned Residential Community/Planned Community; Jackson-Taylor Planned Residential Community; Mixed Use, page 168-169 as follows:

Mixed Use: To create a vibrant, urban environment that is active during the day and after dark, the center of the PRC is designated Mixed Use. This designation allows a mix of high density residential, retail, office, and a limited amount of other commercial uses. Within the Mixed Use designations, the residential component is the High Density Residential designation (25-50 DU/AC). The residential uses should be a mixture of condominiums and apartments, offering a variety of unit sizes to accommodate singles, couples, and families.

In most cases, a minimum amount of retail and office use is specified for each mixed use area. Retail uses are identified for strategic locations to encourage pedestrian activity and provide linkages with the adjacent Nihonmachi Business District and residential community. These retail uses should provide services primarily to neighborhood residents and local office workers. Opportunities for office uses are also provided to allow residents to live and work in the same community and/or to encourage workers living in other areas of San José to commute to these jobs via transit.

The residential, retail, and office uses should be arranged vertically in the same building. For example, retail uses might be on the ground floor with one floor of office space above, and up to four stories of residential uses on top floors. Building heights for this designation should not exceed 65 feet as defined in the Jackson-Taylor Residential Strategy. All parking should be below ground or internal to the building.

~~Three-Four~~ Mixed Use categories are explained below, each designed to meet the unique circumstances of its surroundings. The table below summarizes the land use potential for each mixed use designation.

Mixed Use #1 (Bounded by Mission, Tenth, Taylor, and Seventh Streets): This designation allows High Density Residential (25-50 DU/AC) uses, up to 122,000 square feet of office, up to 150,000 square feet of industrial uses, and between 16,000 - 24,750 square feet of retail uses. Retail uses should be located along the north side of Taylor Street between Seventh and Eighth and at the northwest corner of Taylor and Ninth Streets. Additional retail uses are encouraged at the southwest corner of Tenth and Mission Streets and along the northern edge of the park located on Taylor Street between Ninth and Tenth Streets. Industrial use within this designation are limited to manufacturing uses which typically might have a retail and/or restaurant component and do not generate noise, odor, or other nuisance impacts. Auto-related uses are not permitted in this designation.

Mixed Use #2 (Bounded by Sixth, Taylor, Seventh, and the park located on Jackson, and the northern portion of the block bounded by Sixth, Jackson, Seventh and Empire Streets): This designation allows High Density Residential (25-50 DU/AC) uses, 150 senior housing units, a 40-room inn, up to 80,000 square feet of office, and between 33,000 and 53,750 square feet of retail uses. The commercial square footage may also accommodate a cultural center. Retail uses are required along a portion of Sixth Street, the north side of the park, and along the south side of Jackson Street.

Mixed Use #3 (Generally Bounded by Taylor, Ninth, Jackson, and ~~Seventh~~ Streets the Union Pacific Railroad tracks): This designation allows High Density Residential (25-50 DU/AC) uses, up to 192,625 square feet of office, and between 7,500 and 18,125 square feet of retail uses. Retail uses should be located on the south side of Taylor Street between Seventh Street and the rail tracks.

Additional retail activity is encouraged at the south west corner of Taylor and Ninth Streets and mid-block on the west side of Eighth Street. The Eighth Street retail is intended to support a potential future BART station and open space.

Mixed Use #4 (located on the southeast corner of E. Taylor and N. 7th Streets): This designation allows High Density Residential (25-75 DU/AC) and office and/or retail uses. Office and/or retail uses should be located along E. Taylor Street.

Preferably, commercial uses should be vertically integrated with residential uses in the same building; however, the two uses may be horizontally mixed on the site.

Amend Chapter V. Land Use Transportation Diagram; Planned Residential Community/Planned Community; Jackson-Taylor Planned Residential Community; Figure19, page 169 as follows:

Figure 19.

Jackson-Taylor Planned Residential Community Mixed Use Development Potential		
Land Use Designation	Acreage	Development Potential
MU1	8.7 acres	High Density Residential (25-50 DU/AC); 16,000-24,750 square feet of retail; <u>and</u> up to 150,000 square feet of office
MU2	5.8 acres	High Density Residential (25-50 DU/AC); 150 senior housing units; 40-room inn; 33,000-53,750 square feet of retail; <u>and</u> up to 80,000 square feet of office
MU3	8.2 acres <u>6.2 acres</u>	High Density Residential (25-50 DU/AC); 7,500-18,125 square feet of retail; <u>and</u> up to 192,625 square feet of office
<u>MU4</u>	<u>2 acres</u>	<u>High Density Residential (25-75 DU/AC); and up to 12,000 square feet of office and/or retail</u>

PROPOSED JACKSON-TAYLOR RESIDENTIAL STRATEGY **TEXT AMENDMENT**

Amend the Jackson-Taylor Residential Strategy; Chapter 7. Policies and Design Guidelines; B. Land Use Policies and Design Guidelines; Mixed Use (Residential, Office, Retail, and Industrial); Density/Intensity and Building Types, page 33 as follows:

Density/Intensity and Building Types

- Buildings within this zone may be a maximum of six stories, not to exceed 65 feet in height from finished grade. The parking podium must be interior to the building and be surrounded by commercial uses; up to one sub-surface level of parking is permitted. Front and side yard setbacks are as follows: retail uses, including bays and arcades, may extend to the property line; office uses may be built to within five feet of the property line; if the site across the street is designated for the 12-25 du/ac residential type, a 15 foot setback is required. In all cases, upper floors of the building should, at a minimum, follow the setback of the ground floor use, however, stepped back facades are encouraged.
- A mix of residential and commercial space is required in all buildings containing residential uses. The commercial component of the mixed-use building may develop to an equivalent FAR of 0.8 at a maximum of two stories; retail shops should be located at identified sites (see below). The residential component must develop to a minimum of 25 du/ac and may be a maximum density of 50 DU/AC. For densities above 35 du/ac projects must exhibit exemplary architectural design that is urban in character and expresses the essence of the design guidelines contained in the Residential Strategy. The ground floor level of all buildings in this zone should be developed with commercial uses; upper floors may be either all residential or may include one additional floor of office space. These intensities/densities must be accommodated in the building envelope described above and must meet all other City open space and parking requirements.
- For the site located on the southeast corner of E. Taylor and N. 7th Streets the mixed use designation allows High Density Residential (25-75 DU/AC) and up to 12,000 square feet of office and/or retail uses. Office and/or retail uses should be located along E. Taylor Street. For residential densities above 35 du/ac projects must exhibit exemplary architectural design that is urban in character and expresses the essence of the design guidelines contained in the Residential Strategy. Preferably, commercial uses should be vertically integrated with residential uses in the same building; however, the two uses may be horizontally mixed in the site.